



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: The Master Collectors, Inc.--Reconsideration

File: B-228938.4

Date: January 19, 1988

DIGEST

Prior dismissal of untimely protest is affirmed, notwithstanding protester's assertion that it was unaware of our timeliness requirements and that the protest was filed only a few days late, because the protester is charged with constructive notice of GAO's Bid Protest Regulations through their publication in the Federal Register.

DECISION

The Master Collectors, Inc. (MCI), requests reconsideration of our dismissal of its protest under request for proposals (RFP) No. FCGA-S2-SS201-N, issued by the General Services Administration, for collection services. We dismissed the protest because it was not filed within 10 working days of the date the basis for protest was known or should have been known as required by our Bid Protest Regulations, 4 C.F.R. § 21.2(a)(2) (1987).

We affirm our prior dismissal.

In the original protest, MCI orally advised our Office that it became aware that it was not going to receive the contract on November 16, 1987. However, MCI did not file its protest in our Office until December 4, 1987. Accordingly, the protest was dismissed under 4 C.F.R. § 21.2(a)(2), as MCI did not protest within 10 working days. MCI now contends that the protest should be considered because it was unaware of our timeliness requirements and because the protest, given the Thanksgiving holiday, was only a few days late.

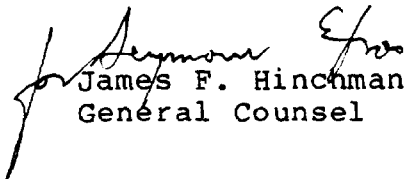
Although MCI was unaware of our timeliness rules, our regulations are published in the Federal Register and, therefore, protesters are charged with constructive notice of their contents. Sharon R. Riffe-Cobb--Request for Reconsideration, B-223194.2 et al., June 26, 1986, 86-2 C.P.D. ¶ 10. A protester's professed unawareness of these

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published regulations is not a proper basis for waiving their requirements. Id.

Further, the fact that MCI's protest was only a few days late does not mitigate the untimeliness of its protest. Bid protests are serious matters which require effective and equitable procedural standards, both so that parties have a fair opportunity to present their cases and so that protests can be resolved in a reasonably speedy manner. Sharon R. Riff-Cobb--Request for Reconsideration, B-223194.2 et al., supra. Our regulations are intended to provide for expeditious consideration of procurement actions without unduly disrupting the government's procurement process. To waive our timeliness requirements for the protester's sole benefit would only serve to compromise the integrity of those rules. Id.

We affirm our prior dismissal.


James F. Hinchman
General Counsel